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7 **UNITED STATES DISTRICT COURT**

8 EASTERN DISTRICT OF CALIFORNIA

9
10 UNITED STATES OF AMERICA,

Plaintiff,

v.

11 THOMAS A BOJO,

Defendant.

12
13 UNITED STATES OF AMERICA,

14 Plaintiff,

v.

15 EVELIA GILVILLABOS,

16 Defendant.

Case No. 1:24-po-00062-SAB-1

ORDER GRANTING MOTION FOR STAY
OF SENTENCE

(ECF No. 72)

20 Before the Court is Defendant Evelia GilVillabos's ("Defendant") motion for a stay of
21 sentence of imprisonment pending the disposition of her appeal of the Court's imposition of
22 judgment. (ECF No. 72.) Plaintiff United States of American ("the Government") filed a late non-
23 opposition to the motion. (ECF No. 78.) Upon review of the briefs, the Court takes the matter
24 under submission without a hearing. L.R. 230(g).

25 Under Federal Rule of Criminal Procedure 38(b)(1), a court must stay a sentence of
26 imprisonment if the defendant is released pending appeal. Fed. R. Crim. P. 38(b)(1). Because
27 Defendant seeks only to stay her sentence of four days of incarceration, the Court will grant the
28 motion.

1 Accordingly, the Court GRANTS the motion for a stay of sentence of imprisonment, but
2 not her probation. (ECF No. 72.) The Court HEREBY ORDERS Defendant's sentence of
3 imprisonment is STAYED pending her appeal.

4 However, should Defendant be arrested and/or convicted of any new law violation (federal,
5 state, or local) during the pendency of this appeal, the Court will revoke the stay and order her to
6 report within 10 days of the order.

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8 IT IS SO ORDERED.

9 Dated: November 4, 2025



STANLEY A. BOONE
United States Magistrate Judge

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